

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
AUGUST 16, 2016**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor	Ron DiMura
Council President	Sean Kaplan
	Stephen Greco
	Patrick Corley
	John Madden
	Bob Schueler
	Jack Mikolajczyk (absent)
Attorney:	Aravind Aithal

PRESENTATIONS-NONE

APPOINTMENTS

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #168-16

WHEREAS, Colin DeVincenzo has successfully completed the psychological and medical examination required for the position of a Probationary Patrolman in the Borough of Middlesex; and

WHEREAS, Chief Geist is recommending that Colin DeVincenzo be appointed to the position of Probationary Patrolman effective August 17, 2016 at an annual salary of \$51,339.00 pending the receipt of the drug screening clearance.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex and State of New Jersey that:

1. Colin DeVincenzo is hereby appointed a Probationary Patrolman for the Borough of Middlesex effective August 17, 2016 at an annual salary of \$51,339.00 pending the receipt of the drug screening clearance.
2. This resolution shall take effect immediately.

Councilman Schueler made a motion for adoption seconded by Councilman Corley and carried by the following roll call vote: Ayes: Greco, Kaplan, Corley, Madden, and Schueler. No: None. Abstain: None.

Chief Geist thanked the Mayor and Council for the recently hired patrolman noting that this has helped our detectives in the detective bureau and gives us the opportunity to put a police officer at the high school. Chief Geist also congratulated Patrolman Colin DeVincenzo and welcomed him to the team. Chief Geist also thanked all the police officers for the job that they do every day, which he stated is a very complex job.

PROCLAMATIONS

The Borough Clerk read the following Proclamation:

PROCLAMATION

WHEREAS, it is the intention of the Mayor and Council of Middlesex Borough to focus attention on noteworthy causes and occasions; and

WHEREAS, Charcot-Marie-Tooth disease (CMT) is a common inherited neurological disorder that affects approximately 1 in 2,500 people in the United States and 2.8 million worldwide; and

WHEREAS, CMT is characterized by a slow and progressive deterioration of motor and sensory nerves across various parts of the body that can lead to weakness of the foot and lower leg muscles, foot deformities, frequent tripping and falls and muscle weakness in the hands; and

WHEREAS, there are more than 70 kinds of CMT that affect individuals from all walks of life, and in all areas of the world; and

WHEREAS, there is no cure for CMT, and while physical therapy, bracing and surgical procedures can help stabilize and correct certain CMT symptoms, continued awareness and research of the disease are needed.

NOW, THEREFORE BE IT RESOLVED, I, RONALD J. DIMURA, by virtue of the authority vested in me as Mayor of the Borough of Middlesex, County of Middlesex, State of New Jersey,

do hereby join with the Charcot-Marie-Tooth Association and municipalities across the United States in proclaiming the month of September 2016 to be

CHARCOT-MARIE-TOOTH AWARENESS MONTH

NOW FURTHER BE IT RESOLVED that the Borough of Middlesex urges all citizens to join with me and Council in spreading awareness of Charcot-Marie-Tooth Disease, and in voicing our support for the Charcot-Marie-Tooth Disease Association.

NEW BUSINESS-NONE

PUBLIC HEARING

The Borough Clerk read ordinance No. 1894-16 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1894-16

AN ORDINANCE TO AMEND CHAPTER 301 PARKS AND RECREATION AREAS, SECTION 301-14 REGULATIONS AND FEES FOR USE OF THE PARK, TO INCLUDE SECTION 301-14C(6) IN THE CODE OF THE BOROUGH OF MIDDLESEX

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce ordinances to manage regulate and control the finances and property of the municipality; and

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey as follows:

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to include the following:

§ 301-14C(6)

- (6) Maintenance fees for all baseball and/or Softball fields (resident and non-resident):
 - (a) Friday evening or Saturday (single game): \$90/hr.
 - (b) Saturday doubleheader: \$90/hr.
 - (c) Sunday: \$180/hr.
 - (d) Any rentals for play exceeding three (3) games in a single day shall incur a charge of not less than \$90/hr., two (2) hour minimum. Such fees shall be estimated prior to issuance of a Permit and shall be payable at the time of Permit issuance.

SECTION TWO. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION THREE. This ordinance shall take effect after passage and publication as provided by law.

Mayor DiMura opened the public hearing on Ordinance No. 1894-16. Seeing that there was no public participation, Mayor DiMura closed the public hearing.

Council President Kaplan made a motion for adoption seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Kaplan, Corley, Madden, and Schueler. No: None. Abstain: None.

The Borough Clerk read ordinance No. 1895-16 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1895-16

AN ORDINANCE TO AMEND CHAPTER 272 MASSAGE, BODYWORK AND SOMATIC THERAPY ESTABLISHMENTS, 272-3 APPLICATION FEES; SECTION 272-6 APPLICATION FOR MASSAGE, BODYWORK AND SOMATIC THERAPIST'S PERMIT; REQUIREMENTS; SECTION 272-7 MASSAGE, BODYWORK AND SOMATIC THERAPIST PERMIT FEE; SECTION 272-12 PROHIBITED ACTIVITIES; REVOCATION OF PERMIT AND SECTION 272-13 VIOLATIONS AND PENALTIES IN THE CODE OF THE BOROUGH OF MIDDLESEX

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce ordinances to manage regulate and control the finances and property of the municipality; and

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey as follows:

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to include the following changes:

1. § 272-3 Application Fees

Every applicant for a permit to maintain, operate or conduct a massage, bodywork or somatic therapy establishment or out call massage, bodywork or somatic therapy service shall file an application with the Board of Health upon a form provided by said division and pay a fee of \$1,000. The permit to be issued shall be valid until March 31 of the year immediately following the year that the permit was issued hereunder.

2. § 272-6 Application for massage, bodywork and somatic therapist's permit; requirements

A. To be eligible for a permit as a massage, bodywork and somatic therapist an application shall submit satisfactory evidence of:

- (1) Successful completion of a minimum of 500 hours in-class study in the field of massage, bodywork or somatic therapy; or
- (2) Successful completion of the written examination offered by the National Certification Board for Therapeutic Massage and Bodywork.
- (3) Proof of licensure by the State of New Jersey as is now required by N.J.A.C. 13:37-16.1 and compliance with all provisions of the state regulations governing massage therapy.

- (4) The administering of massage, bodywork and/or somatic therapies for any form of consideration by any person not licensed by the State of New Jersey pursuant to the Massage and Bodywork Therapist Licensing Act, P.L. 1999 c. 19 amended 2007, c. 337 shall be prohibited throughout the Borough of Middlesex.

B. The following information concerning the application will be required:

- (1) The name, complete residence address and residence telephone number.
- (2) The two previous addresses immediately prior to the present address of the applicant.
- (3) Written proof of age.
- (4) Height, weight, sex and color of hair and eyes.
- (5) Two front-face portrait photographs taken within 30 days of the date of the application and at least two inches by two inches in size.
- (6) The massage therapy or similar business history and experience, including but not limited to whether or not such a person has previously operated in this or another city or state under a license or permit denied, revoked or suspended and the reason therefor and the business activities or occupations subsequent to such action or denial, suspension or revocation.
- (7) All criminal convictions other than misdemeanor traffic violations, fully disclosing the jurisdiction in which convicted and the offense for which convicted and circumstances thereof. The applicant shall execute a waiver and consent to allow a fingerprint and criminal background check by the Police Department.
- (8) The names and addresses of three adult residents of the county who will serve as character references. These references must be persons other than relatives and business associates.

C. Applicants for massage therapy licensure, as well as those applying to operate a massage therapy business, are required to appear before the Middlesex Borough Board of Health prior to the issuance of said license and/or permit, so that the Board of Health may review all the information submitted with the application in order to determine if the applicant qualifies for the issuance of said license and/or permit, and the Board of Health will have the final review and will decide whether or not to approve or disapprove the issuance of the license and/or permit.

3. §272-7 Massage, bodywork and somatic therapist permit fee

An applicant for massage, bodywork or somatic therapist's license shall pay a permit fee of \$100, which permit shall be valid until March 31 of the year immediately following the year that the permit was issued hereunder.

4. §272-12 Prohibited activities; revocation of permit

A. No owner or manager of a massage, bodywork or somatic therapy establishment shall tolerate in his establishment any activity or behavior prohibited by the laws of the State of New Jersey, particularly, but not exclusive of laws proscribing prostitution, indecency and obscenity, including the sale, uttering or exposing and public communication of obscene material; laws which relate to the commission of sodomy; relating to the commission of adultery; and proscribing fornication; nor shall any owner or manager tolerate in his or her establishment an activity or behavior which violates this chapter.

- B. Any conviction of a bodywork or somatic therapy establishment or, any employee thereof, of a violation of the aforementioned statutes and codes shall devolve upon the owner or manager of the establishment, it being specifically declared that, following such a conviction of the owner or the manager of the establishment, shall be prosecuted as an accessory to such a violation and the required permits will be automatically revoked.
- C. Hours of operation shall not commence prior to 9:00 a.m. and shall not extend beyond 9:00 p.m.

5. §272-13 Violations and penalties

Any person violating the provisions of this chapter shall, upon conviction, be punished by imprisonment for a term not exceeding 90 days or by a fine not less than \$750 for a first violation hereunder, nor exceeding \$2,500 for a first violation, or both, in the discretion of the court. A second violation of any provisions of this chapter, shall be punished by imprisonment for a term not exceeding 90 days or by a fine of not less than \$1,500, nor exceeding \$3,000, or both. A third or subsequent violation of any provisions of this chapter, shall be punished by imprisonment for a term not exceeding 90 days or by a fine of not less than \$2,500, nor exceeding \$5,000, or both.

SECTION TWO. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION THREE. This ordinance shall take effect after passage and publication as provided by law.

Mayor DiMura opened the public hearing on Ordinance No. 1895-16. Seeing that there was no public participation, Mayor DiMura closed the public hearing.

Council President Kaplan made a motion for adoption seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Kaplan, Corley, Madden, and Schueler. No: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Corley made a motion to approve the July 12, 2016 Executive Special Meeting Minutes seconded by Councilman Madden and carried by the following roll call vote: Ayes: Greco, Kaplan, Corley, Madden, and Schueler. No: None. Abstain: None.

Councilman Corley made a motion to approve the July 19, 2016 Regular Meeting Minutes seconded by Council President Kaplan and carried by the following roll call vote: Ayes: Kaplan, Corley, and Madden. No: None. Abstain: Greco and Schueler

Council President Kaplan made a motion to approve the August 9, 2016 Special Meeting Minutes seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Kaplan, Corley, Madden, and Schueler. No: None. Abstain: None.

REPORTS

Mayor

1. Mayor DiMura read into the minutes a thank you letter from Chief Geist.

“On behalf of the Middlesex Borough Police Department and Ofc. Joleen Auricchio, National Night Out Event Coordinator, I would like to thank you for taking part in our 7th Annual National Night Out. On Tuesday, August 2, 2016 members of the Middlesex Police Department were joined by community groups, business partners, emergency services and residents to join in a night of fun in a crime free environment. We were able to provide our guests with helpful information, entertainment, food, and giveaways. I could not have been more pleased with the response we received and the phenomenal turnout. Hundreds of residents took advantage of this wonderful event and spent the evening in support of building community partnerships and heightening crime awareness! Thank you kindly for your presence and continued support taking part in the event and providing activities and information to our residents. We hope to continue working with you during future Community Policing events. Without your participation we could not have had such a successful National Night Out. Please be sure to mark your calendar for our 8th Annual National Night Out on Tuesday, August 1st, 2017.”

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Nothing to Report.
2. Recreation/Recreation Fields/Water & Light – Nothing to Report
3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Stream Cleaning Report – Council President Kaplan reported that the Committee will be meeting next week. Council President Kaplan would like to have the areas that were previously cleaned to be revisited so that we maintain what was cleaned – (1) Cap Lane to Route 28 and (2) Lincoln Blvd. to the Duck Pond. Mayor will get quotes from Predator for cleanup of Rt. 28 Marshall all the way to Dayton and Warrenville road to the Bonnie Brook area.
 - B. Council President Kaplan made a motion to accept the resignation of Jason Dudley as a member of the Middlesex Fire Department seconded by Councilman Corley and carried by a unanimous vote of members present.
 - C. Council President Kaplan made a motion to accept Randy Rudnick as Assistant Engineer of Engine 22 for 2016 seconded by Councilman Schueler and carried by a unanimous vote of members present.
 - D. Council President Kaplan made a motion to accept Robert Imbriaco as a qualified driver for Engine 23 seconded by Councilman Schueler and carried by a unanimous vote of members present.
 - E. Council President Kaplan made a motion to accept Andrew Pollara and Jeffrey Meyer as an active member of the Middlesex Fire Department and Mateo Perez as a

Junior Member of the Middlesex Fire Department seconded by Councilman Schueler and carried by a unanimous vote of members present.

4. Public Works/Parks/Sanitation/Recycling – Councilman Corley had nothing to report.
5. Police/Legal/Code Enforcement/Construction/Municipal Court - Councilman Mikolajczyk is on vacation, therefore, there was nothing reported.
6. Administration/Department of Senior Services/Legislation/Licensing – Councilman Greco had nothing to report.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Consent Agenda 2016(T)

WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex wish to remove Resolution #174-16, #181-16 and #182-16 from this Consent Agenda.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #169-16 – Resolution #173-16
Resolution #175-16 - Resolution #180-16
Resolution #183-16 – Resolution #184-16

Councilman Madden made a motion for approval seconded by Councilman Corley and carried by the following roll call vote: Ayes: Greco, Kaplan, Corley, Madden and Schueler. No: None. Abstain: None.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #169-16

The Governing Body hereby appoints Bryan Oliver, 412 Cook Avenue, Middlesex, New Jersey as a permanent part-time laborers for the DPW for 28 hours per week at \$12.00 per hour pending a satisfactory background check, physical (including drug/alcohol test), and driving abstract effective August 22, 2016.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #170-16

WHEREAS, Police Officer George Pilesky is eligible for advancement in grade pursuant to Article XV of the Police Department Ordinance; and

WHEREAS, On June 27, 2016 Chief Geist recommended Police Officer George Pilesky be advanced in grade.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that Police Officer George Pilesky be and is hereby advanced in grade to Patrolman Class "D" effective August 15, 2016 at an annual salary of \$77,854.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #171-16

WHEREAS, Ted Hoette was issued a street opening permit on 8/25/15; and

WHEREAS, Ted Hoette deposited \$1250.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 96 Conover Place was inspected by Dan Niro, Plumbing Inspector and Bob Deutsch Public Works Director, and found to have been maintained in a satisfactory manner.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$937.50 in favor of Ted Hoette, 96 Conover Pl., Middlesex, NJ 08846, for refund of Street Opening Permit No. 2015-008.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #172-16

The Mayor and Council hereby accept Probationary Patrolman Michael Sharkey's resignation effective August 1, 2016 and authorize the Treasurer to pay his full allowance of \$666.36 in

accordance with his PBA Contract in the next regular borough payroll of August 19, 2016. The benefits include the following:

11 Hours Compensation Time	\$ 271.48
16 Hours Vacation Time	\$ 394.88
TOTAL	\$ 666.36

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #173-16

Accepting the resignation of Laurina Tolomeo as a School Crossing Guard with the Middlesex Police Department effective June 24, 2016.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #174-16

WHEREAS, bids were received August 16, 2016 for Shepherd Avenue Resurfacing and;

WHEREAS, the following bids were the three lowest bids received for this project; and

Konkus Corp. Chester, NJ	\$130,313.98	Base Bid
Z Brothers Concrete Contractor, Inc. Sayreville, NJ	\$151,929.06	Base Bid
DeSantis Construction, Inc. Somerset, NJ	\$155,638.60	Base Bid

WHEREAS, the submitted bid proposals contain all the required documentation, properly executed in accordance with the requirements of the bid specifications; and

WHEREAS, the Borough Engineer recommends awarding the bid to Konkus Corp. in the amount of \$130,313.98 contingent upon the Borough Attorney's review and availability of funds for this project.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that:

Based upon recommendation of the Borough Engineer, the Governing Body hereby awards the bid for the Shepherd Avenue Resurfacing to Konkus Corp. in the amount of \$130,313.98 contingent upon the Borough Attorney's review and availability of funds for this project.

NOW FURTHER BE IT RESOLVED that the treasurer hereby certifies funds in the amount of \$130,313.98 is available in the following account: Account No. C-04-16-893-000-093 (2016 Capital Budget)

Councilman Greco made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Greco, Kaplan, Corley, Madden and Schueler. No: None. Abstain: None.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #175-16

The Governing Body hereby approves the Mayor and Borough Clerk execute the Department of the Army Right of Entry for Survey and Exploration for the Green Brook Flood Damage Reduction Project for the property located at the Lincoln Boulevard Right of Way, Clay Avenue Right of Way in Middlesex Borough in order to survey, make test borings, and carry out such other exploratory work as described in the Scope of Work in order to complete the investigation being made of said land by the Government.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #176-16

The Governing Body hereby approves the Mayor and Borough Clerk execute the Department of the Army Corps of Engineers Environmental Surveys Investigations and Remediation Right of Entry to perform surveys and investigations, collecting samples and making test borings and remediating radiological, chemical, and metal contamination of soils, groundwater and structures on Block 345.02, Lot 1.02, Baekeland Avenue as part of the Army's Formerly Used Sites Remedial Action Program (FUSRAP).

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #177-16

WHEREAS, R3M Engineering, Inc. is preparing a Treatment Works Approval Application for the MCUA Main Trunk Sewer Rehabilitation – Phase II; and

WHEREAS, the subject of the permit application is the construction of a chamber adjacent to the Green Brook Pump Station to assist with the Trunk Sewer Rehabilitation and future maintenance of the sewer; and

WHEREAS, the project has previously received approvals from the NJDEP and the application requires the endorsement of the Borough of Middlesex.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex and State of New Jersey that:

1. The governing body hereby approves the Mayor to execute the NJDEP Statements of Consent for the MCUA Main Trunk Sewer Rehabilitation – Phase II.
2. This resolution shall take effect immediately

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #178-16

The Tax Collector is hereby authorized to refund 2nd quarter 2016 taxes in the amount of \$856.64 on block 52, lot 23, 307 Second Street. The homeowner has been declared a 100% disabled veteran by the Division of Veterans Affairs. The check is to be made payable to:

Wells Fargo Home Mortgage
1 Home Campus
MacX2302-04D
Attention: Financial Support
Des Moines, IA 50328

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #179-16

The Tax Collector is hereby authorized to refund an overpayment in the amount of \$3393.76 on Block 290, Lot 11, 200 Egel Ave. The assessment was reduced to \$405,000.00 from \$486,200.00 on May 10th, 2016. 3rd quarter taxes were paid prior to the reduced assessment being applied.

The check is to be made payable to:

Penta Realty Company
200 Egel Avenue
Middlesex, NJ 08846

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #180-16

The Governing Body hereby authorizes the Treasurer to refund the balance of \$180.00 in the Escrow Account for 770 Bound Brook Road, LLC. By determination of the Code Official their project is complete and all outstanding bills have been paid.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #181-16

The governing body hereby approves to surplus the OEM 1993 Van, Vin No. 4CDJ4 9M23N 21051 65.

Council President Kaplan made a motion for approval seconded by Councilman Corley and carried by the following roll call vote: Ayes: Greco, Kaplan, Corley, Madden and Schueler. No: None. Abstain: None.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #182-16

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF 2 MOBILE RADIOS FOR THE FIRE DEPARTMENT

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase 2 Mobile Radios for the Fire Department from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

WHEREAS, Motorola Solutions Inc. is under State Contract No. 83909 for the year 2016; and

WHEREAS, the cost for the purchase of the equipment is \$17,320.50; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of 2 Mobile Radios is ordered under State Contract No. 83909 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$17,320.50 are available in Account No. C-04-15-879-000-090.

Council President Kaplan made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Kaplan, Corley, Madden and Schueler. No: None. Abstain: None.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #183-16

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF
BARRACUDA INSTANT REPLACEMENT AND UPDATES FOR THE BOROUGH OF
MIDDLESEX EMAIL SPAM AND VIRUS FIREWALL**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase Barracuda Instant Replacement and Updates for the Borough of Middlesex Spam and Virus Firewall from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

WHEREAS, SHI International Corp is under State Contract No. NJ Barracuda WSCA AR069, participating addendum 88792 for the year 2016; and

WHEREAS, the cost for the purchase of the Barracuda Instant Replacement and Updates is \$1,255.42; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of Barracuda Instant Replacement and Updates is ordered under State Contract No. NJ Barracuda WSCA AR069, participating addendum 88792 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$1,255.42 are available in Account No. 6-01-20-140-000-062.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #184-16

RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF BARRACUDA X300 FIREWALL FOR THE BOROUGH OF MIDDLESEX

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase Barracuda X300 Firewall for the Borough of Middlesex from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

WHEREAS, SHI International Corp is under State Contract No. NJ Barracuda WSCA AR069, participating addendum 88792 for the year 2016; and

WHEREAS, the cost for the purchase of Barracuda X300 Firewall is \$5,283.53; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of Barracuda X300 Firewall is ordered under State Contract No. NJ Barracuda WSCA AR069, participating addendum 88792 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount of \$5,283.53 are available in Account No. C-04-15-879-000-090.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #185-16

THE DISBURSING OFFICERS BE AND THEY ARE HEREBY AUTHORIZED TO PAY THE ATTACHED CLAIM LIST AS PRESENTED, IF FOUND CORRECT, AND APPROVED BY THE FINANCE COMMITTEE. EXCLUDED VOUCHERS MAY BE PAID UPON BEING FOUND ACCEPTABLE.

Council President Kaplan made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Kaplan, Corley, Madden and Schueler. No: None. Abstain: None

PUBLIC COMMENTS

Mayor DiMura opened the Public Portion of the meeting for any comments.

Betty Platten, 4 Hooker Avenue suggested that we send a thank you to Laurina Tolomeo for all the years she served as a school crossing guard.

Douglas Rex, 221 Greene Avenue thanked the Mayor and Council for proclaiming the month of September Charcot-Marie-Tooth Awareness Month. Charcot-Marie-Tooth disease (CMT) is a common inherited neurological disorder. Mr. Rex also handed out pamphlets which will be available in the municipal building so that residents are made more aware of this debilitating disease.

Seeing that there was no further public participation, Mayor DiMura closed the public portion of the meeting.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Parking on Baekeland Avenue – Employees from BAMCO are still parking their cars on a parking lot created for these employees that is Borough property. Mayor DiMura stated that he advised Chief Geist to issue warnings. They have received all their permits but have not come back to the Planning Board with the executed Developer's Agreement.
2. Proposal for DPW Employee to get certified in pesticides – the DPW Committee will meet to discuss the following: (1) What it takes and the cost for two employees to get the certification, (2) What the Borough is responsible for and where to store the chemicals, and (3) What chemicals are outsourced and what we keep in house. Mayor DiMura asked that they get back to the council by October 1st.
3. DEP Report for Sewers - Mayor DiMura stated that on June 30, 2016 he received a Compliance Evaluation Inspection letter from the DEP. This letter discussed mainly the deficiency that was noted in a report issued on September 16, 2013 that was never addressed, and also rain events from April 30 – May 1, 2014 and February 25, 2016. Mayor DiMura noted that the DEP reminded us in the letter that the Department reserves the right to take enforcement action for any future raw sewage overflows, which may include monetary penalties. Mayor DiMura sat with our professionals, including our engineer, and their recommendations were that we put together a study for what is needed to be done and send a letter to the DEP with our future plan. Council was in agreement and the Mayor will move forward with the Engineer.
4. PSE&G Rehab Project – PSE&G will be working on 4 miles of the Borough streets in Middlesex to replace old gas pipes with new, durable plastic and/or coated steel piping. They will be sending out a letter shortly to all those affected. When work is finished, they will repair roads temporarily until the ground settles which is approximately 45-90 days and then restore the road with permanent paving. Two of the roads, Marlborough and Howard, were completely resurfaced in the last few years. These streets will be restored to their original condition and our engineer will be overlooking the project.
5. Challenging Middlesex Borough Flood Map – There was a consensus of Council to have Councilman Kaplan move forward and get a cost to retain an attorney to challenge the FEMA Flood Map. Councilman Kaplan will then reach out to his committee and will bring back to the Council the committee's findings at the first meeting in October.

6. Keep Middlesex Clean Program – Mayor stated that there is a resident in town who would like to recruit volunteers to help clean-up the town. They would divide the town into 10 sections. They would also reach out to residents who can't keep up with their property. The Borough will supply gloves, bags, etc., and these funds would come out of the Clean Communities Grant. These volunteers would have no enforcement powers.
7. Charles Wrobel Presentation – Event at Mountainview Park – Mr. Wrobel made a vague presentation at the last meeting to the governing body about holding a benefit concert for veterans in Mountainview Park in 2017 and to provide free beer. He would like to have council consider having him hold the concert on the football field and would like to donate the profits to the veteran's hospital. The Mayor and Council requested that Mr. Wrobel put in writing more details of what he is looking to do. If we don't hear back from Mr. Wrobel by the October 11, 2016 meeting, the issue will be closed.
8. George Street – Mayor DiMura asked that council consider going out to bid for drainage issues and the reconstruction of George Street. Due to the recent issues where Governor Christie has put a hold on all DOT awarded grants, construction companies are bidding on our local projects way below the construction cost to get work. The consensus of Council was to move forward and have RVE give us a proposal for the Design, Inspection, and Construction Administration Services for George Street, and this cost will determine if we move forward and go out to bid.

PUBLIC COMMENTS

Mayor DiMura opened the Public Portion of the meeting for any comments on Agenda Workshop Items. Seeing that there was no public participation, Mayor DiMura closed the public portion of the meeting on the Agenda Workshop Items.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #186-16

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of the Borough of Middlesex has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex will go into closed session for the following reason listed below as outlined in N.J.S.A. 10:4-12 and the minutes will be kept, and once the matter involving the confidentiality of the items no longer require confidentiality, the minutes can be made public.

1. Request for Grade Change – Administrative Assistant – Recreation/Office on Aging
2. Plumber Inspector Position

Council President Kaplan made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Kaplan, Corley, Madden and Schueler. No: None. Abstain: None

Councilman Madden moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

ROLL CALL

Mayor	Ron DiMura
Council President	Sean Kaplan
	Stephen Greco
	Patrick Corley
	John Madden
	Bob Schueler
	Jack Mikolajczyk (absent)

Attorney:	Aravind Aithal
-----------	----------------

ADJOURNMENT

Councilman Madden made a motion to adjourn the Regular Meeting seconded by Councilman Kaplan and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk